

§ 51.915

§ 51.915 What emissions inventory requirements apply under the 8-hour NAAQS?

For each nonattainment area subject to subpart 2 in accordance with § 51.903, the emissions inventory requirements in sections 182(a)(1) and 182(a)(3) of the Act shall apply, and such SIP shall be due no later 2 years after designation. For each nonattainment area subject only to title I, part D, subpart 1 of the Act in accordance with § 51.902(b), the emissions inventory requirement in section 172(c)(3) of the Act shall apply, and an emission inventory SIP shall be due no later 3 years after designation. For purposes of defining the data elements for the emissions inventories for these areas, the ozone-relevant data element requirements under 40 CFR part 51 subpart A apply.

[70 FR 71702, Nov. 29, 2005]

§ 51.916 What are the requirements for an Ozone Transport Region under the 8-hour NAAQS?

(a) In General. Sections 176A and 184 of the Act apply for purposes of the 8-hour NAAQS.

(b) RACT Requirements for Certain Portions of an Ozone Transport Region.

(1) The State shall submit a SIP revision that meets the RACT requirements of section 184 of the Act for each area that is located in an ozone transport region and that is—

(i) Designated as attainment or unclassifiable for the 8-hour standard;

(ii) Designated nonattainment and classified as marginal for the 8-hour standard; or

(iii) Designated nonattainment and covered solely under subpart 1 of part D, title I of the CAA for the 8-hour standard.

(2) The State is required to submit the RACT revision no later than September 16, 2006 and shall provide for implementation of RACT as expeditiously as practicable but no later than May 1, 2009.

[70 FR 71702, Nov. 29, 2005]

§ 51.917 What is the effective date of designation for the Las Vegas, NV, 8-hour ozone nonattainment area?

The Las Vegas, NV, 8-hour ozone nonattainment area (designated on Sep-

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tember 17, 2004 (69 FR 55956)) shall be treated as having an effective date of designation of June 15, 2004, for purposes of calculating SIP submission deadlines, attainment dates, or any other deadline under this subpart.

[70 FR 71702, Nov. 29, 2005]

§ 51.918 Can any SIP planning requirements be suspended in 8-hour ozone nonattainment areas that have air quality data that meets the NAAQS?

Upon a determination by EPA that an area designated nonattainment for the 8-hour ozone NAAQS has attained the standard, the requirements for such area to submit attainment demonstrations and associated reasonably available control measures, reasonable further progress plans, contingency measures, and other planning SIPs related to attainment of the 8-hour ozone NAAQS shall be suspended until such time as: the area is redesignated to attainment, at which time the requirements no longer apply; or EPA determines that the area has violated the 8-hour ozone NAAQS.

[70 FR 71702, Nov. 29, 2005]

Subpart Y—Mitigation Requirements

§ 51.930 Mitigation of Exceptional Events.

(a) A State requesting to exclude air quality data due to exceptional events must take appropriate and reasonable actions to protect public health from exceedances or violations of the national ambient air quality standards. At a minimum, the State must:

(1) Provide for prompt public notification whenever air quality concentrations exceed or are expected to exceed an applicable ambient air quality standard;

(2) Provide for public education concerning actions that individuals may take to reduce exposures to unhealthy levels of air quality during and following an exceptional event; and

(3) Provide for the implementation of appropriate measures to protect public health from exceedances or violations of ambient air quality standards caused by exceptional events.

(b) [Reserved]

[72 FR 13581, Mar. 22, 2007]

Subpart Z—Provisions for Implementation of PM_{2.5} National Ambient Air Quality Standards

SOURCE: 72 FR 20664, April 25, 2007, unless otherwise noted.

§ 51.1000 Definitions.

The following definitions apply for purposes of this subpart. Any term not defined herein shall have the meaning as defined in 40 CFR 51.100.

Act means the Clean Air Act as codified at 42 U.S.C. 7401–7671q. (2003).

Attainment date means the date by which an area, under an approved State implementation plan, is required to attain the PM_{2.5} NAAQS (based on the average of three consecutive years of ambient air quality data).

Baseline year inventory for the RFP plan is the emissions inventory for the year also used as the base year for the attainment demonstration.

Benchmark RFP plan means the reasonable further progress plan that requires generally linear emission reductions in pollutants from the baseline emissions year through the milestone inventory year.

Date of designation means the effective date of the PM_{2.5} area designation as promulgated by the Administrator.

Direct PM_{2.5} emissions means solid particles emitted directly from an air emissions source or activity, or gaseous emissions or liquid droplets from an air emissions source or activity which condense to form particulate matter at ambient temperatures. Direct PM_{2.5} emissions include elemental carbon, directly emitted organic carbon, directly emitted sulfate, directly emitted nitrate, and other inorganic particles (including but not limited to crustal material, metals, and sea salt).

Existing control measure means any Federally enforceable national, State, or local control measure that has been approved in the SIP and that results in reductions in emissions of PM_{2.5} or PM_{2.5} precursors in a nonattainment area.

Full implementation inventory is the projected RFP emission inventory for the year preceding the attainment date, representing a level of emissions that demonstrates attainment.

Milestone year inventory is the projected RFP emission inventory for the applicable RFP milestone year (*i.e.* 2009 and, where applicable, 2012).

PM_{2.5} NAAQS means the particulate matter national ambient air quality standards (annual and 24-hour) codified at 40 CFR 50.7.

PM_{2.5} design value for a nonattainment area is the highest of the three-year average concentrations calculated for the monitors in the area, in accordance with 40 CFR part 50, appendix N.

PM_{2.5} attainment plan precursor means SO₂ and those other PM_{2.5} precursors emitted by sources in the State which the State must evaluate for emission reduction measures to be included in its PM_{2.5} nonattainment area or maintenance area plan.

PM_{2.5} precursor means those air pollutants other than PM_{2.5} direct emissions that contribute to the formation of PM_{2.5}. PM_{2.5} precursors include SO₂, NO_x, volatile organic compounds, and ammonia.

Reasonable further progress (RFP) means the incremental emissions reductions toward attainment required under sections 172(c)(2) and 171(1).

Subpart 1 means the general attainment plan requirements found in subpart 1 of part D of title I of the Act.

§ 51.1001 Applicability of part 51.

The provisions in subparts A through X of this part apply to areas for purposes of the PM_{2.5} NAAQS to the extent they are not inconsistent with the provisions of this subpart.

§ 51.1002 Submittal of State implementation plan.

(a) For any area designated by EPA as nonattainment for the PM_{2.5} NAAQS, the State must submit a State implementation plan satisfying the requirements of section 172 of the Act and this subpart to EPA by the date prescribed by EPA which will be no later than 3 years from the date of designation.

(b) The State must submit a plan consistent with the requirements of